

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

JOHNNY O'CONNOR,)	
)	
Plaintiff,)	
)	DIST. COURT NO.: 11-2187
vs.)	(State Case No.: 11 SL AC 39694)
)	
CREDIT PROTECTION ASSOCIATION, L.P.)	Judge:
)	
Defendants.)	

NOTICE OF REMOVAL

To: Judges of the United States District Court for the Eastern District of Missouri:

Defendant, Credit Protection Association, L.P. ("CPA") by and through its attorney Mark D. Bauman, and for its Notice of Removal pursuant to 28 U.S.C. §1441(a) and 1446, and in support thereof, state as follows:

1. Plaintiff filed a complaint against CPA on November 8, 2011. A copy of the complaint is attached hereto as **Exhibit A**.

2. CPA was served with a summons on November 22, 2011. A copy of the summons is attached hereto as **Exhibit B**.

3. This Notice was filed with the Clerk of the United States District Court within thirty (30) days after service of the complaint upon the Defendants. 28 U.S.C. §1446(b).

4. 28 U.S.C. §1441(b) provides as follows:

(b) Any civil action of which the district courts have original jurisdiction founded on a claim or right arising under the Constitution, treaties or laws of the United States shall be removable without regard to the citizenship or residence of the parties. Any other such action shall be removable only if none of the parties in interest properly joined and served as defendants is a citizen of the state in which such action is brought.

5. United States District Court for the Eastern District of Missouri has jurisdiction over the Plaintiff's claim due to the fact that the allegations contained in his complaint arise under the Constitution, laws or treaties of the United States. 28 U.S.C. §1331.

6. In his complaint, Plaintiff claims CPA violated the Fair Debt Collection Practices Act and the Telephone Consumer Protection Act in its attempted collection of Plaintiff's debt.

7. The Plaintiff's complaint invokes federal question jurisdiction because the allegations involve claims under the FDCPA, 15 U.S.C. §1692, et. seq, and the TCPA, 47 U.S.C. §227, et seq.

WHEREFORE, the Defendant, Credit Protection Association, L.P., respectfully requests that this case proceed in this court as an action properly removed to it.

Respectfully submitted,
Credit Protection Association, L.P.

By: /s/ Mark D. Bauman
Mark D. Bauman #34895MO
One of Its Attorneys

HINSHAW & CULBERTSON, LLP
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CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2011, I electronically filed the Notice of Removal with the Clerk of the U.S. District Court, using the CM/ECF system reflecting service of same to be served on:

Mr. James W. Eason
Richard A. Voytas, Jr.
Eason & Voytas, LLC
1131 South Seventh Street
St. Louis, MO 63140

/s/ Mark D. Bauman
Mark D. Bauman #34895MO